

FEB 22 2007

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISIONCLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA )

v. )

JOHNNY WAYNE CLARK )

CR. NO. 1:07-cr-29-MEF  
[21 U.S.C. 841(a)(1)]INDICTMENT

The Grand Jury charges:

COUNT 1

On or about the 23<sup>rd</sup> day of November, 2005, in Geneva County, within the Middle District of Alabama, the defendant,

JOHNNY WAYNE CLARK,

did knowingly and intentionally possess with the intent to distribute 5 grams or more of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

FORFEITURE ALLEGATION

A. Count 1 of this indictment is hereby repeated and incorporated herein by reference.

B. Upon conviction for the violation as alleged in Count 1 of this indictment, the defendant,

JOHNNY WAYNE CLARK,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the said defendant obtained, directly or indirectly, as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of

the violation alleged in Count 1.

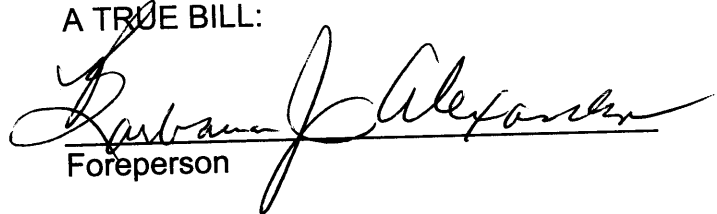
C. If any of the forfeitable property described in this forfeiture allegation, as a result of any act or omission of the defendant:

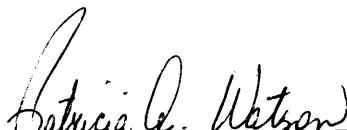
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be subdivided


without difficulty; the United States, pursuant to Title 21, United States Code, Section 853, intends to seek an order of this Court forfeiting any other property of said defendant up to the value of the forfeitable property.

All in violation of Title 21, United States Code, Section 841.

A TRUE BILL:

  
Foreperson

  
for LEURA G. CANARY  
United States Attorney

  
JOHN T. HARMON  
Assistant United States Attorney

  
A. CLARK MORRIS  
Assistant United States Attorney